

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Police – Sri M.Ankaiah Naik, EX.PC 1256 of 2nd APSP Battalion, Kurnool District request to modify the punishment of " Removal from Service" to that of "Compulsory Retirement"- APAT orders dated 7.8.2013 in O.A. No. 9088/2011- Reconsidered -Orders Issued.

HOME (SERVICES-II) DEPARTMENT

G.O.RT.No. 1388

Dated: 16-12-2014

Read the following:-

- 1) C.A.No.1537/2014 in O.A.No.9088/2011, dt. 15.10.2014.
- 2) From the DGP,A.P.,Hyderabad, Lr.No.775/T3/2014,dt 03.11.2014.

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ORDER:

- 1.** In the letter 2nd read above, the Director General of Police, Andhra Pradesh, Hyderabad, has informed that Sri. M. Ankaiah Naik, PC 1256 of 2nd APSP Battalion, Kurnool was permitted to avail 4 days furlough permission from 26.6.2008 to 30.6.2008 and was due for duty on 3.6.2008 AN. The Charged Officer was found unauthorizedly absent and had not informed his whereabouts. Hence, the P.C. was declared as Deserter w.e.f. 26.6.2008 vide DO.No.592/2008 (Rc.No.A5/1441/2008), dt. 24.7.2008. later, charged officer was dealt on PR under CCA Rules and issued with an article of charge. After conducting regular departmental enquiry and following due procedure laid down under Rules, the P.C. was awarded with a major penalty of " Removal from Service" treating the absence period from 27.6.2008 AN to 07.08.2008 AN as Not on Duty by the then commandant vide proceedings dt. 30.3.2009.
- 2.** The appeal petition of the above Ex.PC was considered and rejected by the Appellate Authority i.e. the Deputy Inspector General of Police -III, APSP Bns, Kurnool vide in Procgs.C.No.22/Appeal/2009, R.O.O.No.82/2009, dt. 31.7.2009. His revision petition was also considered and rejected by the Revision Authority i.e. the ADGP, APSP Bns. Vide in Proceedings Rc.No.51/A3/Rev/2009, H.O.O.No.13/2010, dt 7.1.2010. His mercy petition was also considered and rejected, by the Government.
- 3.** Sri M. Ankaiah Naik, PC 1256 of 2nd APSP Battalion, Kurnool Dist has filed an O.A.No.9088/2011 in APAT. The Hon'ble APAT vide its order dt. 7.8.2013 has observed that under similar circumstances one Sri D. Sreenivasa Reddy while working as Police Constable was absent for more than four years and he was dismissed from service and in the appeal the punishment was modified to that of Compulsory Retirement keeping in view of his long service of 19 years. In the present case the applicant has put in more than 23 years of service. While disposing the said O.A. the Hon'ble APAT has directed the 1st respondent i.e. the Principal Secretary to Government, Home "**to reconsider the entire issue and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order**". Keeping in view the above facts and circumstances.
- 4.** In the light of the orders of the Hon'ble APAT, Government, after reconsidering the entire issue with the records made available, hereby modify the punishment of "**Removal from Service**" to **that of "Compulsory Retirement"** imposed on Sri. M. Ankaiah Naik, EX.PC 1256 2nd APSP Battalion, kurnool District.

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5. The Director General of Police, Andhra Pradesh, Hyderabad is requested to take necessary further action accordingly in the matter. The records received through the letter 2nd cited, are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. B. PRASADA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General of Police, Andhra Pradesh, Hyderabad (with records).

Copy to:-

The individual concerned (through D.G.P., A.P., Hyderabad)
The Government Pleader for APAT, Hyderabad.

//FORWARDED::BY ORDER//

SECTION OFFICER